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LEGISLATIVE SUPPLEMENT

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PART - I**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 7th April, 2021

No. Leg. 17/2021.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 20th March, 2021 and is hereby published for general information:-

HARYANA ACT NO. 17 OF 2021**THE HARYANA YOG AAYOG ACT, 2021****AN
ACT**

to establish Aayog in the State of Haryana for the promotion, management, regulation, training of Yoga and Naturopathy, to promote naturopathy system of medicine, to regulate the practice thereof and to deal with other matters such as training, promotion and Yogasana as a Sport etc. and for matters connected therewith or incidental thereto.

Be it enacted by the Legislature of the State of Haryana in the Seventy-second Year of the Republic of India as follows:-

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| <p>1. (1) This Act may be called the Haryana Yog Aayog Act, 2021.
 (2) It shall come into force on the date of its publication in the Official Gazette.</p> <p>2. In this Act, unless the context otherwise requires,-</p> <ul style="list-style-type: none"> (a) “Aayog” means the Haryana Yog Aayog established under section 3; (b) “AYUSH” means the indigenous system of medicine related to Ayurveda, Yoga and Naturopathy, Unani, Siddha, Sowa-rigpa and Homoeopathy; (c) “Chairman” means the Chairman of the Aayog; (d) “committee” means the committee constituted under section 16 of the Act; (e) “institution” means any College/ Institute/ University/ Board/ Faculty established by law conducting Yoga or Naturopathy courses recognized by State Government or the Central Government; (f) “member” means the official or non-official member of the Aayog including Chairman and Vice-Chairman; (g) “naturopathy” means a system of man-building in harmony with constructive principles of nature on physical, mental, moral and spiritual planes of living, having health promotive, disease preventive, curative and restorative potential; (h) “naturopathy system of therapy” means a drugless, non-invasive system of therapy involving the use of natural elements in its treatment based on the theory of vitality, toxemia, self-healing capacity of the body and the principles of healthy living; (i) “prescribed” means prescribed by the rules made under this Act; (j) “register” means the register of practitioners maintained under clause (a) of sub-section (2) of section 18; (k) “registered Yoga or Naturopathy practitioners” means a practitioner of Yoga or Naturopathy registered under the provisions of this Act and the rules made thereunder; (l) “Registrar” means the Registrar of the Aayog; (m) “State Government” means the Government of the State of Haryana in the administrative department; (n) “Yoga” means a discipline to improve or develop one’s inherent power in a balanced manner which offers the means to attain complete self-realization and it is a technique to suppress the modification of mind. | <p>Short title and commencement.</p> <p>Definitions.</p> |
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- Establishment of Aayog.**
3. (1) The State Government shall, by notification in the Official Gazette, establish a body to be known as the Haryana Yog Aayog to exercise the powers conferred on and to perform the functions assigned to it under this Act.
- (2) The Aayog shall have perpetual succession and a common seal and may by said name sue and be sued.
- Constitution of Aayog.**
4. The State Government shall, by notification in the Official Gazette, constitute the Aayog consisting of the following members, namely:-
- (1) Official members:-
 - (a) Director, Sports and Youth Affairs Department, Haryana or his representative not below the rank of Deputy Director/Assistant Director;
 - (b) Director AYUSH, Haryana or his representative not below the rank of Deputy Director/Assistant Director;
 - (c) Dean/Registrar, Shri Krishna AYUSH University, Kurukshetra or his representative not below the rank of Professor/Head of the Department, Yoga;
 - (d) Director, Secondary Education Department, Haryana or his representative not below the rank of Deputy Director/Assistant Director;
 - (e) Medical Officer, AYUSH Department; - (2) Non-official members:-
- There shall be eleven non-official members including Chairman and Vice-Chairman to be nominated by the State Government amongst the following:-
- (a) three members having Bachelor degree in AYUSH with atleast five years experience of Yoga education/training/practice;
 - (b) two members having Bachelor of Naturopathy and Yogic Sciences degree with atleast five years experience in Naturopathy;
 - (c) one member having Bachelor degree in Yoga/Naturopathy with research background;
 - (d) three members having Bachelor degree in any stream with atleast five years experience certificate in Yoga education/training/practice;
 - (e) two members from amongst the registered Yoga or Naturopathy practitioners.
- Chairman.**
5. The Chairman of the Aayog shall be nominated by the State Government from amongst the non-official members and shall exercise such powers and perform such duties, as may be prescribed.
- Vice-Chairman.**
6. The Vice-Chairman of the Aayog shall be nominated by the State Government from amongst the non-official members and shall perform the duties of Chairman in case of vacancy or absence of Chairman.
- Registrar.**
7. (1) The State Government shall depute the Medical Officer from AYUSH department, Haryana as Registrar of the Aayog, who shall be the Member Secretary of the Aayog and shall perform such duties, as may be prescribed.
- (2) The Registrar shall authenticate all decisions and resolutions passed in the meeting and shall follow such procedure of proceeding of meeting, as may be prescribed.
- Terms and conditions of service of non-official members and other employees.**
8. The terms and conditions of service of non-official members and other employees shall be as follows:-
- (i) non-official members shall be nominated for a term of five years which may be extendable for further term with the approval of State Government;
 - (ii) the term of non-official member shall start from the date of first meeting of the Aayog;
 - (iii) a non-official member may, at any time by writing under his hands addressed to the Chairman, resign from his office and a vacancy caused thereof shall be filled by fresh nomination;
 - (iv) the non official member shall receive such honorarium and such other allowances for attending meeting of Aayog, as may be prescribed;

	(v) the salaries, allowances and honorarium etc. payable to non-official members, officials and other employees of the Aayog shall be paid out of the grant received from the State Government;	
	(vi) the salaries and allowances payable to, and the other terms and conditions of service of the non-official members, officers and other employees of the Aayog, shall be such, as may be prescribed.	
9.	(1) A non-official member becomes disqualified to continue in office if that member-	Disqualification of non-official members.
	(a) becomes an un-discharged insolvent;	
	(b) gets convicted and sentenced to imprisonment for an offence involving moral turpitude;	
	(c) becomes of unsound mind and stands so declared by a competent medical board;	
	(d) becomes incapable in performing his duties due to any medical reason or otherwise;	
	(e) is, without obtaining leave of absence from the Aayog, absent himself from three consecutive meetings of the Aayog; or	
	(f) has so abused his position as to render his continuance in office prejudicial to the public interest:	
	Provided that no member shall be removed under this clause until that member has been given a reasonable opportunity of being heard.	
10.	The State Government may remove any or all of the non-official members of Aayog at any time, if there are sufficient reasons to believe that the member(s) is inimical to the spirit of the Act.	Removal of non-official members.
11.	In the event of death, resignation, disqualification or removal of non-official member, a vacancy shall be deemed to have occurred in such office and such vacancy shall be filled as early as possible by fresh nomination of a person thereto as a member, who shall hold office for the unexpired term of his predecessor.	Vacancy.
12.	No act or proceeding of the Aayog shall be questioned or shall be invalid merely on the ground of the existence of any vacancy or defect in the constitution of the Aayog.	Vacancies not to invalidate proceedings.
13.	The State Government may on the requisition of the Aayog provide such officers and other officials, as it may deem fit, for the smooth functioning of the Aayog.	Officers and other officials.
14.	The Aayog shall hold meeting at least once in every three months and as many meetings as required and the quorum of the meeting shall be one third of the total number of members.	Meetings of Aayog.
15.	The State Government may, after giving reasonable notice to the Aayog and after hearing its objections, if any, suspend, cancel or modify any resolution passed by the Aayog.	Suspension, cancellation and modification of resolutions.
16.	(1) The Aayog may constitute as many committees, as it may deem fit, for smooth functioning of Aayog consisting of minimum of three members from officials and non-officials members in the ratio of 1:2 which shall be headed by the official member. (2) The Committee so constituted shall submit its report/ proposal/ suggestion/ advice in the prescribed time framed and submit the same to the Aayog.	Committee.
17.	The Aayog shall perform the following functions, namely:- (a) to act for the promotion, training and regulation of the Yoga or Naturopathy in consultation with the State Government; (b) to organize Yogasana (Yoga-Postures) competitions at the State/District/ Corporation/Municipal/ Tehsil /Panchayat level for primary, middle and senior secondary schools;	Functions of Aayog.

- (c) to educate, campaign and to make people aware about the benefits of Yoga or Naturopathy and to take steps for inclusion in curriculum of school syllabus;
- (d) to review periodically the yoga courses, the syllabi, educational standards and give recommendations to the State Government for the same;
- (e) to perform such others functions, as may be prescribed.
- Functions and powers of Registrar.**
- 18.** (1) The Registrar shall register a Yoga or Naturopathy practitioner who is qualified from any institution in such form, manner along with such fee, as may be prescribed.
- (2) The Registrar shall,-
- (a) maintain the register of Yoga or Naturopathy practitioners in the State;
- (b) regulate the professional conduct of registered Yoga or Naturopathy practitioners by such code of ethics, as may be prescribed;
- (c) after giving opportunity of being heard suspend or remove the name from the Register, or take such other disciplinary action against Yoga or Naturopathy practitioner, as may be prescribed.
- Appeal to Aayog from decision of Registrar and other powers of Aayog.**
- 19.** (1) Any person aggrieved by the decision of the Registrar regarding registration of any person or any entry in the register may appeal to the Aayog.
- (2) Such appeal shall be filed with, and shall be heard and decided by, the Aayog in the manner prescribed.
- Budget.**
- 20.** (1) The Aayog shall on such date, as may be prescribed, prepare and submit to the State Government, in the prescribed form, the demand of grant for the next financial year, showing the estimated receipts and expenditure.
- (2) The State Government may sanction the grant submitted to it with such modification, if any, as it deems proper.
- (3) When the grant is sanctioned by the State Government, the Aayog shall be competent to appropriate the amounts out of the grant for the purpose for which the provision is made in the budget.
- Accounts and audit.**
- 21.** (1) The Aayog shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the income and expenditure and balance sheet, utilization certificate, in such form and manner, as may be prescribed.
- (2) The accounts of the Aayog shall be examined and audited by the Director, Local Fund Accounts in accordance with the relevant provisions.
- (3) The audited statement of accounts and working report of the Aayog shall be submitted to the AYUSH Department before the 31st July of every year.
- Fund of Aayog.**
- 22.** (1) The fund of the Aayog shall be constituted of the funds collected as registration, renewal fee etc. and such fund shall be maintained by way of bank account in the Nationalized Bank.
- (2) The Chairman and Registrar of the Aayog shall jointly operate the said bank account for carrying out the purposes of this Act.
- Power to make rules.**
- 23.** (1) The State Government may, by notification in the Official Gazette make rules for carrying out the purposes of this Act.
- (2) Every rule made under this Act shall be laid, as soon as may be, after it is made, before the House of the State Legislature.
- Officers and Officials to be public servants.**
- 24.** Every officer and official appointed under this Act, while exercising any power or performing any duty under this Act, shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860 (Central Act 45 of 1860).
- Removal of difficulties.**
- 25.** (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removal of the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of the commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

26. No suit, prosecution or other legal proceedings shall lie against any officer or employee of the State Government for anything which is in good faith done or intended to be done under this Act or rules made thereunder.

Protection of action taken in good faith.

27. Anything done by the Haryana Yog Council or renamed as Haryana Yog Aayog vide notification No. 9/24/2019-6HB-II, dated the 15th January, 2021, before the commencement of this Act shall be deemed to have been done under this Act as per the provisions of section 6 of the General Clauses Act.

Savings.

BIMLESH TANWAR,
Administrative Secretary to Government, Haryana,
Law and Legislative Department.